From: Tincher, Chris
To: Sartorius, Shawn
Cc: Hill, Debra; Lesli Gray; Susan Oetker; Jeff Humphrey
Subject: Draft key points for Texas Hornshell - Senator Udall
Date: Tuesday, June 20, 2017 10:01:22 AM

Thank you, everyone. Please note I added a subject line so I will be able to easily find this information when needed.

I'm particularly pleased to see point #7. That demonstrates our willingness to be as flexible as possible given the constraints we are facing. I imagine it will be well received.

Chris

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On Tue, Jun 20, 2017 at 8:33 AM, Sartorius, Shawn <shawn_sartorius@fws.gov> wrote:

> I'm good with that version.
>
> On Tue, Jun 20, 2017 at 9:27 AM, Hill, Debra <debra_hill@fws.gov> wrote:
>
> > Clean Version-
> >
> > 1. We need the CCAA/CCA drafts to publish before the end of June to allow for enrollment prior to a possible listing effective date
> >
> > 2. Due to the limited range of the CCA/CCAA (Black and Delaware Rivers), there is no expectation that these agreements would preclude the need to list the species, if listing is warranted.
> >
> > 3. The August deadline for a listing determination is court ordered and part of the MDL settlement.
> >
> > 4. The listing would be effective 30 days from a final FR publication.

5. We will be using the memo from the LPC range-wide plan that allows for us to complete individual Certificates of Inclusion/Participation, as long as participants have submitted applications prior to a listing effective date.

6. We have identified potential participants and have coordinated with the affected landowners and oil and gas companies who may participate in the CCAA. They are positioned to enroll in the allotted time (30 days).

7. We have created a streamlined application process that allows participants to get their foot in the door. As long as an initial application is submitted prior to the effective date of the rule, we can work with participants to finalize their enrollment. At any point after their application is received, participants can choose to decline enrollment.

On Tue, Jun 20, 2017 at 8:57 AM, Sartorius, Shawn <shawn_sartorius@fws.gov> wrote:

Thanks Deb, a few tweaks, add the red, delete the yellow:

1. We need the CCAA/CCA drafts to publish before the end of June to allow for enrollment prior to a possible listing effective date [determination].

2. Due to the limited range of the CCA/CCAA (Black and Delaware Rivers), there is no expectation that these agreements would preclude the need to list the species, if listing is warranted.

3. The August deadline for a listing determination is court ordered and part of the MDL settlement.

4. The listing will would be effective 30 days from a final FR publication.

5. We will be using the memo from the LPC range-wide plan that allows for us to complete individual Certificates of Inclusion/Participation, as long as participants have submitted applications prior to an implemented listing effective date.

6. We have identified potential participants and have coordinated with the affected landowners and oil and gas companies who may participate in the CCAA. They are positioned to enroll in the allotted time (30 days).

7. We have created a streamlined application process that allows participants to get their foot in the door. As long as an initial application is submitted prior to the effective date of the rule, we can work with participants to finalize their enrollment. At any point after their application is recieved, participants can choose to decline enrollment.

On Tue, Jun 20, 2017 at 8:47 AM, Hill, Debra <debra_hill@fws.gov> wrote:

Chris-

I have incorporated our recent discussions into the bullet points.

1. We need the CCAA/CCA drafts to publish before the end of June to allow for enrollment prior to a listing determination.

2. Due to the limited range of the CCA/CCAA (Black and Delaware Rivers), there is no expectation that these agreements would preclude the need to list.

3. The August deadline for a listing determination is court ordered and part of the MDL settlement.

4. The listing will be effective 30 days from a final FR publication.

5. We will be using the memo from the LPC range-wide plan that allows for us to complete individual Certificates of Inclusion/Participation, as long as participants have submitted applications prior to an implemented listing.

6. We have identified potential participants and have coordinated with the affected landowners. They are positioned to enroll in the allotted time (30 days).

7. We have created a streamlined application process that allows participants to get their foot in the door. As long as an initial application is submitted prior to the effective date of the rule, we can work with participants to finalize their enrollment. At any point, participants can choose to decline enrollment.

Thanks,Deb

On Tue, Jun 20, 2017 at 7:31 AM, Hill, Debra <debra_hill@fws.gov> wrote:

Hi Chris-

Here are the main points in terms of the CCAA/CCA finalization to consider for a Udall briefing:

1. We need the CCAA draft to publish before the end of June to allow for enrollment prior to a listing determination.

2. Providing 60 days instead of 30 for implementation of the Rule would be extremely helpful, but an extension on publishing the final rule is not prudent.

3. Due to the limited range of the CCA/CCAA (Black and Delaware Rivers), there is no expectation that these agreements would preclude the need to list.

4. The August deadline for a listing determination is court ordered and part of the MDL settlement.

5. We will be using the memo from the LPC range-wide plan that allows for us to complete individual Certificates of Inclusion/Participation, as long as participants have submitted applications prior to an implemented listing.

Shawn and Susan - please look at this and refine, as I am uncertain what is needed for this briefing. Please let me know if you have questions.

Thanks,Deb

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